

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of

SCRIPPS HOWARD BROADCASTING
COMPANYFor Renewal of License of
Station WMAR-TV,
Baltimore, Maryland

and

FOUR JACKS BROADCASTING, INC.

For a Construction Permit for a
New Television Facility on
Channel 2 at Baltimore, Maryland

MM Docket No. 93-94

File No. BRCT-910603KX

File No. BPCT-910903KE

TO: The Honorable Richard L. Sippel
Administrative Law JudgeOPPOSITION TO MOTION TO STRIKE

Four Jacks Broadcasting, Inc. ("Four Jacks"), by its attorneys hereby submit its Opposition to the "Motion to Strike" filed by Scripps Howard Broadcasting Company ("Scripps Howard") on May 24, 1993.

1. On May 7, 1993, Scripps Howard filed a pleading entitled "Renewal Expectancy Claim." On May 13, 1993, Four Jacks filed an Opposition to the Scripps Howard "Renewal Expectancy Claim."

2. In its Motion to Strike, Scripps Howard argues that the Four Jacks pleading is not authorized. Scripps Howard's argument is patently ridiculous. Section 1.294(a) of the Commission's

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rules provides that "[a]ny party to a hearing may file an opposition to an interlocutory request filed in that proceeding. Scripps Howard's Renewal Expectancy Claim was such an interlocutory request since it sought credit for renewal expectancy, and, therefore, the Opposition was appropriate.


3. In addition, Four Jacks submits that its Opposition served a useful purpose. It provided the Presiding Judge with case precedent on the renewal expectancy issue which permitted him to rule on the relevant renewal expectancy period at the prehearing conference in this proceeding.

Accordingly, for the reasons set forth herein, the Motion to Strike filed by Scripps Howard Broadcasting Company should be denied.

Respectfully submitted,

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& LEADER
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FOUR JACKS BROADCASTING, INC.

By 
Martin R. Leader
Kathryn R. Schmeltzer
Gregory L. Masters

Its Attorneys

Date: June 3, 1993

CERTIFICATE OF SERVICE

I, SYBIL R. BRIGGS, do hereby certify that I have this 3rd day of May, 1993, mailed by first class United States mail, postage prepaid, copies of the foregoing "OPPOSITION TO MOTION TO STRIKE" to the following:

*The Honorable Richard L. Sippel
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